

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : Criminal No. 1:01-CR-00321
:
v. : (Judge Kane)
:
ANTHONY ALSTON : (Electronically Filed)

MOTION TO CONTINUE JURY SELECTION AND TRIAL

AND NOW, comes the defendant, Antony Alston, by his attorney Lori J. Ulrich of the Federal Public Defender's Office, and files this Motion to Continue Jury Selection and Trial, and in support thereof the following is averred:

1. By indictment filed October 10, 2001, Anthony Alston was charged with possession of a firearm as a convicted felon, in violation of 18 U.S.C. § 922(g)(1).
2. On October 4, 2005, Mr. Alston appeared before the Honorable J. Andrew Smyser and entered a plea of not guilty to the indictment.
3. Trial in this matter is scheduled for December 5, 2005, and pretrial motions are due on or before November 21, 2005.

4. It is anticipated that Mr. Alston will be filing pretrial motions on November 21, 2005, and if he is unsuccessful in suppressing evidence, he will be entering a conditional plea of guilty.

5. Mr. Alston respectfully requests that his jury selection and trial be continued so that he can litigate his pretrial motions.

WHEREFORE, for the foregoing reasons, it is respectfully requested that this Honorable Court grant the within Motion to Continue Jury Selection and Trial.

Respectfully submitted,

Date: November 18, 2005

/s/ Lori J. Ulrich
LORI J. ULRICH, ESQUIRE
Asst. Federal Public Defender
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CERTIFICATE OF SERVICE

I, Lori J. Ulrich of the Federal Public Defender's Office, do hereby certify that I served a copy of the **MOTION TO CONTINUE JURY SELECTION AND TRIAL**, via Electronic Case Filing, or by placing a copy in the United States Mail, first class in Harrisburg, Pennsylvania, addressed to the following:

ERIC PFISTERER, ESQUIRE
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

ANTHONY ALSTON
[REDACTED]
[REDACTED]
[REDACTED]

Date: November 18, 2005

/s/ Lori J. Ulrich
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